

REMARKS

This submission is made in response to a Notice of Non-Compliant Amendment and supersedes the previous (non-compliant) amendment.

Applicant respectfully requests reconsideration of the present application in view of the amendments set forth above, the enclosed Declaration under Rule 1.131, and the below remarks.

Claims 1-23 are pending and are rejected.

Applicant thanks the Examiner for the withdrawal of finality of the present Office Action.

The Claim Objections

Claims 1 and 5 are objected to as having the term “user” instead of “use.” Applicant herein amends claims 1 and 5 as suggested by the Examiner. Claim 12 is amended to provide proper antecedent basis.

The Prior Art Rejections

Claims 1-23 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,097,637, to Triplett et al.

As set forth in detail in the enclosed Rule 1.131 Declaration, the claimed invention was actually reduced to practice in the form of a working prototype fabricated prior to August 27, 2003, which is the filing date of Triplett. Prior to August 27, 2003, the inventor fabricated a working prototype from which design drawings were generated, as evidenced by a Declaration from the inventor, Alan Reid, and the person who generated the drawings. Glen Schultz. In addition to the figures in Exhibit B of the Declarations, Applicant encloses a drawing revision dated August 5, 2003.

Accordingly, Applicant submits that the rejection over Triplett should be withdrawn.

In view of the above, Applicant submits that claims 1-23 are in condition for allowance. Accordingly, a notice of allowance for these claims is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

Applicant does not acquiesce to any assertion made by the Examiner that is not specifically addressed herein.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

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